

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

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SIXTIETH LEGISLATURE

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NINETEENTH LEGISLATIVE DAY  
FRIDAY, JANUARY 29, 2010

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Malepeai, absent and formally excused by the Chair; and Senator Coiner, absent and excused.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Meredith DeMordaunt, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 28, 2010, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

January 29, 2010

The JUDICIARY AND RULES Committee reports that [S 1300](#) and [S 1301](#) have been correctly printed.

DARRINGTON, Chairman

[S 1300](#) was referred to the Resources and Environment Committee.

[S 1301](#) was referred to the Health and Welfare Committee.

January 28, 2010

The FINANCE Committee reports out [H 406](#), [S 1292](#), [S 1293](#), and [S 1294](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 406](#), [S 1292](#), [S 1293](#), and [S 1294](#) were filed for second reading.

January 29, 2010

The STATE AFFAIRS Committee reports out [H 379](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[H 379](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

January 29, 2010

Dear Mr. President:

I transmit herewith [H 400](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 400](#) was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

Senator Coiner was recorded present at this order of business.

### S 1302

#### BY FINANCE COMMITTEE

##### AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF ENERGY RESOURCES FOR FISCAL YEAR 2010; REDUCING THE APPROPRIATION TO THE OFFICE OF ENERGY RESOURCES FOR FISCAL YEAR 2010; AND DECLARING AN EMERGENCY.

### S 1303

#### BY STATE AFFAIRS COMMITTEE

##### AN ACT

RELATING TO EMPLOYMENT OF UNAUTHORIZED ALIENS; TO PROVIDE LEGISLATIVE FINDINGS; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 3, TITLE 44, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE PROVISIONS RELATING TO VERIFICATION, TO PROHIBIT EMPLOYMENT OF UNAUTHORIZED ALIENS, TO PROVIDE FOR CERTAIN FILINGS, TO PROVIDE PENALTIES, TO PROVIDE THAT NO BUSINESS ENTITY OR EMPLOYER SHALL KNOWINGLY EMPLOY ANY UNAUTHORIZED ALIEN TO PERFORM WORK IN THIS STATE, TO PROVIDE FOR A CONDITION FOR THE AWARD OF CERTAIN CONTRACTS, TO PROVIDE PROVISIONS RELATING TO PARTICIPATION IN FEDERAL WORK AUTHORIZATION PROGRAMS, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE AND FOR AN EXCEPTION, TO PROVIDE PROVISIONS RELATING TO MISCLASSIFICATION OF A WORKER, TO PROVIDE PROVISIONS RELATING TO THE FILING AND INVESTIGATION OF A COMPLAINT, TO PROVIDE FOR CERTAIN POWERS, TO PROVIDE A BURDEN OF PROOF, TO PROVIDE FOR AN INJUNCTION, TO PROVIDE FOR ENFORCING A JUDGMENT AND TO PROVIDE FOR PENALTIES, TO PROVIDE PROVISIONS RELATING TO THE ENFORCEMENT OF LAWS, TO PROVIDE PROVISIONS RELATING TO FILING A COMPLAINT, TO PROVIDE PROVISIONS RELATING

TO A CORRECTION OF A VIOLATION, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR CHALLENGE TO ENFORCEMENT, TO PROVIDE FOR DISMISSAL OF A CASE AND A PUBLIC REPORT, TO PROVIDE FOR A DETERMINATION BY THE FEDERAL GOVERNMENT AND FOR A REBUTTABLE PRESUMPTION, TO PROVIDE THAT CERTAIN COMPENSATION SHALL NOT BE ALLOWED AS A BUSINESS EXPENSE DEDUCTION, TO PROVIDE FOR AN EXCEPTION AGAINST CERTAIN CLAIMS, TO PROHIBIT CERTAIN TRAFFICKING AND HARBORING, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR CERTAIN RIGHTS AFFORDED BY FEDERAL LAW, TO PROHIBIT CERTAIN ACTS RELATING TO CONCEALING, HARBORING OR SHIELDING FROM DETECTION ANY ALIEN, TO DEFINE A TERM, TO PROVIDE FOR FELONY HARBORING, TO PROVIDE FOR PENALTIES, TO PROVIDE FOR RULES, TO PROVIDE FOR A DATABASE, TO PROHIBIT MUNICIPAL SANCTUARIES, AND TO PROVIDE FOR REVIEW OF LAWS; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 4, TITLE 44, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR THE ROLE OF THE IDAHO STATE POLICE, TO PROHIBIT THE ADOPTION OF A SANCTUARY POLICY, TO PROVIDE PROVISIONS RELATING TO A COMPLAINT, TO PROVIDE FOR REQUEST FOR AN ATTORNEY GENERAL OPINION, TO PROVIDE PROVISIONS RELATING TO CERTAIN GOVERNMENTAL ENTITIES AND CERTAIN MONEYS, TO PROVIDE FOR CERTAIN WRITTEN NOTICE, TO PROVIDE FOR CERTAIN COOPERATION WITH THE UNITED STATES BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, TO PROVIDE FOR THE COLLECTION AND SHARING OF CERTAIN INFORMATION, TO PROVIDE PROVISIONS RELATING TO SENDING, MAINTAINING OR EXCHANGING CERTAIN INFORMATION, TO PROHIBIT CERTAIN FUNDING OR GRANTS, TO PROVIDE FOR LIMITATION OF APPLICATION OF LAWS, TO PROVIDE PROVISIONS RELATING TO BAIL, TO PROVIDE FOR DETENTION AND NOTIFICATION, TO PROVIDE PROVISIONS RELATING TO THE RESTRICTION OF DRIVER'S LICENSES, TO PROVIDE FOR THE EXCLUSION OF CERTAIN BENEFITS, TO DEFINE A TERM, TO REQUIRE CERTAIN PROOF, TO PROVIDE FOR AN AFFIDAVIT, TO PROVIDE FOR VERIFICATION AND TO PROVIDE AN EXCEPTION; AND PROVIDING AN EFFECTIVE DATE.

[S 1302](#) and [S 1303](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 400](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

[S 1253](#), [S 1254](#), [S 1255](#), [S 1256](#), and [S 1257](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Monday, February 1, 2010.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary